



# RIMROCK TREE FARM

4190 HIGHLAND DR. #202 SALT LAKE CITY, UTAH 84124  
PHONE (801) 278-5300 FAX (801) 272-3344

RECEIVED

VIA CERTIFIED MAIL

MAY 11 1989

May 10, 1989 WATER RIGHTS  
SALT LAKE

Mrs. Viola Rose  
Secretary of  
Henrieville Irrigation Company  
Post Office Box 247  
Henrieville, Utah 84736

COPY

Reference: Henrieville Irrigation Company W.U.C. #89-88 and  
Johnson/Affiliated Management, Inc. W.U.C. #89-91;  
diligent water rights from Henrieville Creek.

Subject: Henrieville Irrigation Company shareholder watering  
practices.

Dear Mrs. Rose:

Rimrock Tree Farm is a wholly owned subsidiary of Affiliated Management, Incorporated. I am writing you, as secretary, because I am uncertain who is the legally elected president of the Irrigation Company.

The Henrieville irrigation system, which was financed through Utah State Water Resources, provides the physical means to distribute more water to additional acreage and uses than which the company has a legal right. This situation demands that company officials scrupulously enforce shareholder self-control of irrigation practices to ensure compliance with water statutes.

If your shareholders irrigate beyond their collective legal entitlement, two events occur which adversely effect the referenced Affiliated/Johnson water right:

1. Our downstream point of diversion receives insufficient quality and quantity of water because your collection pond never reaches the overflow mark.
2. Natural downstream recharge from your spent irrigation water is lessened.

For the first time since its construction nearly fifteen years ago, we are unable to fill our storage reservoir by first week of May. Water which we have managed to collect so far this spring is so salty that it has killed dozens of trees and adversely effected hundreds of others. Increased stream flow in the Henrieville Creek would help mitigate these damages.

In recent years I believe there has been an apparent increase in number of acres being irrigated by Henrieville Irrigation Company shareholders even though there has not been a corresponding formal legal increase. If this creeping expansionary practice is confirmed, the resulting encroachment on our water rights and resulting damages must be rectified.

I understand the irrigation company regulates water usage among shareholders according to the number of sprinkler heads per share owned. I feel a more appropriate enforcement criteria would be to divide the collective total diligent company water right (328.36 acres) by the total number of assessible outstanding shares to determine proper water usage for each shareholder (ie - each user would have to own a specific number of shares to irrigate an acre of land in a given year). A straightforth acreage measurement of shareholder irrigated lands would be easy to monitor throughout the growing season to ensure fairness for all and compliance with the law.

I have attached exhibit A which contains a legal description and map indicating where the company's original diligent water claim is to be beneficially used. I urge your duly elected officers to immediately ensure that shareholders not exceed the company's collective water usage or acreage entitlement. Failure to do so would cause Rimrock Tree Farm additional irreparable harm.

We are facing a tough water year in our area, and it is especially important to cooperate for the benefit of all water users, whether they are fellow shareholders of the irrigation company or other legal water right owners.

Please let me know if I can assist with your compliance efforts. Thank you.

Respectfully;

Frederick G. Jaeger  
President

CC: ✓ Robert Morgan  
State Water Engineer, SLC  
Gerald Stoker  
Water Rights, Cedar City  
Derrell Johnson

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BRAND

## ROUTING - REQUEST

Please

☐

READ

☐

HANDLE

☐

APPROVE

and

☐

FORWARD

☐

RETURN

☒

KEEP OR DISCARD

☐

REVIEW WITH ME

Date

To Lee

May be another  
problem

From Bob



# RIMROCK TREE FARM

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## EXHIBIT A

Henrieville Irrigation Company legal forty acre quarter-quarter sections of beneficial use in accordance with W.U.C. #89-88; All in T37S, R2W, SLBM.

	<u>40 acre subdivison</u>	<u>Legal water right (acres)</u>	<u>Irrigated % of total 40 acre parcel</u>
<b>Section 21:</b>	SE/4 of SE/4	7.50	18.8%
	<b>Subtotal</b>	<b>7.50</b>	<b>18.8%</b>
<b>Section 22:</b>	SW/4 of SW/4	23.27	58.2%
	SE/4 of SW/4	17.71	44.3%
	SW/4 of SE/4	7.55	18.9%
	<b>Subtotal</b>	<b>48.53</b>	<b>40.4%</b>
<b>Section 27:</b>	NW/4 of NW/4	20.74	51.8%
	NE/4 of NW/4	16.11	40.3%
	NW/4 of NE/4	1.11	2.8%
	SW/4 of NW/4	15.66	39.1%
	SE/4 of NW/4	20.16	50.4%
	SW/4 of NE/4	00.65	1.6%
	NW/4 of SW/4	8.90	22.2%
	NW/4 of SE/4	16.20	40.5%
	SW/4 of SW/4	6.60	16.5%
	<b>Subtotal</b>	<b>106.13</b>	<b>29.5%</b>
<b>Section 28:</b>	NW/4 of NE/4	8.90	22.3%
	NE/4 of NE/4	22.80	57.0%
	SE/4 of NW/4	5.50	13.8%
	SW/4 of NE/4	21.30	53.3%
	SE/4 of NE/4	8.30	20.8%
	NW/4 of SE/4	6.00	15.0%
	NE/4 of SE/4	11.00	27.5%
	SW/4 of SE/4	36.00	90.0%
	SE/4 of SE/4	20.70	51.8%
	<b>Subtotal</b>	<b>140.50</b>	<b>39.1%</b>
<b>Section 33:</b>	NE/4 of NE/4	25.70	64.3%
	<b>Subtotal</b>	<b>25.70</b>	<b>64.3%</b>
	<b>GRAND TOTAL</b>	<b>328.36</b>	<b>35.7%</b>

Legal Henrieville Irrigation Company  
 water right per W.U.C.# 89-88 by  
 quarter-quarter section showing  
 original irrigated acreage allotment  
 by 40 acre parcel.



GARFIELD CO  
 KANE CO